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PETER VERNIERO
ATTORNEY GENERAL OF NEW JERSEY

By: Pauline Foley
Deputy Attorney General
Division of Law, Fifth Floor
124 Halsey Street
P.O. Box 45029
Newark, New Jersey 07102
(201) 648-3696

STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF DENTISTRY

In the Matter of	:	
	:	Administrative Action
HARVEY NATHAN LURIE, D.M.D.	:	
	:	REINSTATEMENT ORDER
Licensed to Practice Dentistry	:	
in the State of New Jersey	:	

This matter was opened to the State Board of Dentistry (hereinafter the "Board") upon the filing of an application by Jack S. Zakim, Esq., counsel for Harvey Nathan Lurie, D.M.D. (hereinafter the "respondent"), requesting modification of the terms and conditions of an Administrative Consent Order entered by the Board on July 31, 1991. By the terms of that Order, respondent was granted leave to seek reinstatement of his CDS privileges upon completion of the five year probationary period ending July 31, 1996. On December 4, 1996, the Board considered the entire record in this matter. Information before the Board indicated that respondent had fully complied with the terms of the July 31, 1991 Order. The Board finding that good cause exists to modify the previous Consent Order as follows:

IT IS on this 30th day of January, 1997,

ORDERED, that:

1. Respondent shall not be permitted to prescribe or dispense or administer Class II controlled dangerous substances nor shall he possess such substances except pursuant to a bona fide prescription written by a physician or dentist for good medical or dental cause. In the event any physician or dentist prescribes medication which is a Class II controlled dangerous substance, respondent shall cause such doctor to provide a written report to the Board together with patient records indicating the need for such medication. Such report shall be provided to the Board no later than seven (7) days subsequent to the prescription in order to avoid any confusion which may be caused by a confirmed positive urine test as a result of such medication.

2. Respondent shall be permitted to prescribe Class III and Class IV controlled dangerous substances commencing upon entry of the within Order in accordance with the following terms and conditions:

(a) Respondent shall obtain and exclusively employ prescription pads which provide triplicate copies of each prescription and which are consecutively numbered.

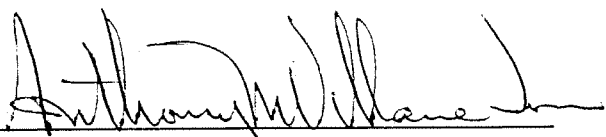
(b) Respondent shall provide the original of the prescription to the patient. He shall place one copy in the patient's chart and submit one copy of all prescriptions to the Board on a monthly basis. He shall be required to account for each consecutive number regardless of whether the particular prescription was voided or was not used for any purpose whatsoever. Further, Dr. Lurie shall submit with each prescription for a Class III or Class IV controlled dangerous substance a copy of the patient's treatment record in order to confirm the need for the prescription.

(c) Respondent shall submit copies of these prescriptions in

consecutive order accompanied by patient records when required no later than the fifth (5th) day of each month for all prescriptions written in the previous month. The prescriptions shall be submitted to Agnes Clarke, Executive Director of the State Board of Dentistry, 124 Halsey Street, Sixth Floor, Newark, New Jersey 07102, so that they may be reviewed and monitored by the Board.

3. It is expressly understood and agreed that continued licensure with restrictions as ordered herein is contingent upon strict compliance with all of the aforementioned conditions. Upon the Board's receipt of any information indicating that any term of the within Order has been violated in any manner whatsoever, including, but not limited to, a verbal report of a confirmed positive urine or any other evidence that respondent has used an addictive substance, a hearing shall be held on short notice before the Board or before its representative authorized to act on its behalf. The proofs at such a hearing shall be limited to evidence of the particular violation at issue.

4. Respondent may apply for modification of the terms and conditions of the within Order no sooner than six (6) months from the entry date herein.



ANTHONY M. VILLANE, JR., D.D.S.
President, State Board of Dentistry